

REMARKS

This application has been reviewed in light of the Office Action mailed May 18, 2006. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1 – 14 are pending in the application with Claim 1 being in independent form.

Initially, Applicants have reviewed the pending claims and submitted amendments to Claims 1, 3, 4, 13 and 14 to correct grammatical and typographical errors, and conform to standard U.S. Patent and Trademark Office practice. No substantive amendments have been made to the limitations recited by the claims, thus no new subject matter is introduced into the disclosure by way of the present amendment.

I. Rejection of Claims 1, 2 and 11 Under 35 U.S.C. § 102(e)

Claims 1, 2 and 11 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Publication No. 2004/0046772 issued to Ouchi et al.

Ouchi et al. was filed with the U.S. Patent and Trademark Office (USPTO) on September 9, 2003, which supersedes the U.S. filing of the present application by one day. However, the present application claims priority from Japanese Patent Application 2002-265441 filed on September 11, 2002. Accordingly, Applicants respectfully submit a certified English translation of Japanese Patent Application 2002-265441; thus perfecting foreign priority over Ouchi et al. and consequently, overcoming the rejection to Claims 1, 2 and 11.

Additionally, Ouchi et al. is the primary reference in the remaining § 103(a) rejections – namely, Claims 3 – 8 rejected over Ouchi et al. in view of U.S. Patent No. 5,987,614 issued to Mitchell et al., Claim 9 rejected over Ouchi et al. in view of Japanese Publication No. 2001-356752 issued to Tomohiro et al., Claims 10 and 12 rejected over Ouchi et al. in view of Mitchell et al. and further in view of Tomohiro et al., Claim 13 rejected over Ouchi et al. in view of

Japanese Publication No. 2000-352962 issued to Jun et al., and Claim 14 rejected over Ouchi et al. in view of Mitchell et al. and Tomohiro et al. and further in view of Jun et al. Therefore, Applicants respectfully submit that perfecting foreign priority over Ouchi et al. traverses these rejections as well, since Mitchell et al., Tomohiro et al. and Jun et al., taken alone or in any proper combination, fail to disclose or suggest the limitations recited in independent Claim 1 from which Claims 2 – 14 depend. Accordingly, Applicants respectfully request withdrawal of the rejections with respect to Claims 1, 2 and 11 under 35 U.S.C. § 102(e); and Claims 3 – 10 and 12 – 14 under 35 U.S.C. § 103(a) over Ouchi et al. in various combinations with Mitchell et al., Tomohiro et al. and Jun et al.

CONCLUSIONS

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1 – 14 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicant's undersigned attorney at the number indicated below.

Respectfully submitted,



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Encl.: Certified English translation of Japanese Patent Appln. 2002-265441